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# City of Granite City

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Mr. Leonard Gelman  
Mr. Jack Grady  
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Environmental Enforcement Sec.  
P. O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-761

Re: United States vs. NL Industries, Inc. et al  
Docket No. 91-578-JLF

Dear Gentlemen:

You have advised the USEPA intends to proceed with additional soil remediation of properties in Granite City, and have asked the City's permission to allow the USEPA to remediate the easements or right-of-ways contiguous to the subject properties. At the present time, for a variety of reasons, the City cannot concede to the USEPA's request.

The City and defendants are submitting the Bornschein study for inclusion in the administrative record pursuant to 40 C.F.R. S300.825 (c), a copy of which is attached hereto. The study is just now completed. The NCP provides that the administrative record shall be supplemented to the extent that proffered documents contain significant information not contained elsewhere in the record, which could not have been submitted during the public comment period, and which substantially support the need to significantly alter the response action.

The Bornschein study falls squarely within this section. It contains significant information concerning the actual effect of the USEPA's cleanup plan in Granite City. Such firsthand information is unavailable elsewhere in the record. Additionally, this information could not have been submitted during the public comment period because the study has only recently been completed. Finally, Dr. Bornschein's study substantially.

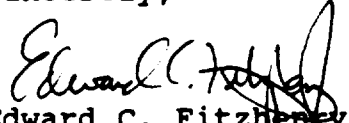
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supports the need to significantly alter the response action because it shows that the USEPA's chosen remedy has been ineffective in reducing children's exposure to lead in homes.

Dr. Bornschein's study is of utmost importance to Granite City and goes to the heart of many of the issues in this case. One issue repeatedly raised by the City is that the pile needs to be addressed before the remediation of residences. Dr. Bornschein's study shows that the lead levels in the streets, attributable to the pile, are enormous. This is further confirmation of the conclusion reached by the convention of experts in their Consensus Statements dated January 13, 1995, and February 7, 1995, that the pile "has been and will continue to be a significant potential lead source in the community: this source is potentially highly mobile and therefore requires vigorous intervention to prevent continuing community contamination."

The City has previously stated and holds firm to the position there should be no soil remediation until all appropriate actions with regard to the lead pile have been taken. The City strongly believes it is pointless in the first instance to engage in substantial soil remediation of properties, and it makes even less sense knowing those properties will be contaminated at some later time. It continues to be the City's contention the USEPA should focus its immediate remediation efforts towards the lead pile.

Sincerely,

  
Edward C. Fitzhenry

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